ANALYSIS

The Revival of Russia's Gubernatorial Elections: Liberalization or Potemkin Reform?

J. Paul Goode, Norman, Oklahoma

Abstract

After an eight year pause, gubernatorial elections returned to Russia in 2012. Formerly appointed governors are now being put to the electoral test, and the Kremlin is discovering the extent to which it sacrificed effective regional leadership for loyalty to the federal center. It now finds itself on the horns of a dilemma: if it continues to heap blame on regional leaders for economic failures and declining trust in the country's political institutions, then the ranks of volunteers willing to serve as governor will dwindle. Yet if it seeks to attract capable candidates to stand for governor, it may be forced to decentralize power and to allow an opening of regional elections to more opposition candidates.

Retreat and Retrenchment

Despite then-President Dmitrii Medvedev's notorious claim that it would be at least 100 years before gubernatorial elections would be restored in Russia, the mass protests following the State Duma election in 2011 prompted their return ahead of schedule. While this was an outwardly liberalizing move, the new legislation permitting gubernatorial elections (*Federal'nyi Zakon N 40-FZ*, May 2, 2012) made provision for a pair of so-called "filters" to prevent the appearance of "accidental" (*sluchainye*) candidates on the ballot. The "presidential filter" is exercised in the form of "consultations" conducted by the President with parties or with individual candidates. While these consultations are not required by law, the emerging practice is for Putin to meet with the heads of political parties to discuss their gubernatorial candidates. It is worth nothing that Putin meets only with the party leadership in Moscow rather than meeting with regional branches of political parties, and he sometimes meets with parties that have no presence in the region in question. In effect, this form of consultation continues the previous practice by which leaders of political parties in Moscow would nominate gubernatorial candidates—often overruling the preferences of regional party branches—and it gives the Kremlin an informal veto over any potential candidate.

The "municipal filter" has received a great deal more attention than the presidential filter. Potential candidates for regional governorships are required to obtain the support of 5–10% of local council deputies and elected municipal heads, spread across 75% of municipal bodies throughout the region, in the form of notarized signatures of support. The precise number of signatures is set by regional law, though most regions opt for the maximum of 10%. The total number of signatures a candidate may gather is capped at 5% above the required threshold, meaning in principle that no single candidate can soak up all the available signatures to squeeze out potential competitors. However, the dominance of governors over local government means that opposition candidates still face an uphill battle in securing the minimum number of signatures to be registered. This point was made vividly clear in the September 2013 elections in Moscow and Moscow oblast', in which incumbents Sergei Sobianin and Andrei Vorob'ev (respectively) mobilized local deputies to ensure the registration of opposition candidates Aleksei Naval'nyi and Gennadyi Gudkov.

While the local council deputies or elected heads can only support one candidate, the law restoring gubernatorial elections does not stipulate how to manage situations in which local actors provide signatures in support of more than one candidate. Over the first two rounds of gubernatorial elections in October 2012 and September 2013, one finds multiple instances of candidates denied registration owing to the duplication of signatures from local deputies. In every case, the signatures have been counted in favor of the ruling party's candidate with the duplicate signatures subtracted from opposition candidates' petition for registration. There are no legal sanctions or repercussions for local actors who offer multiple signatures in support of candidates. Hence, the municipal filter creates at least two opportunities for incumbents to block opposition candidates: first, by pressuring local deputies not to provide signatures in support of a candidate (or to provide duplicate signatures) and, second, in the inspection of signatures by regional electoral commissions.

In addition to the presidential and municipal filters, the law restoring gubernatorial elections includes a few interesting wrinkles that may affect the Kremlin's ability to locate and secure effective gubernatorial candidates. First, governors are limited to two consecutive terms in office and the maximum term length is five years. However, term limits only apply from the law's adoption in May 2012, meaning that sitting governors' current terms will not count against them. Second, the law stipulates that any governor removed from office cannot run for governor in any region for at least two years. It further

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specifies that a charge of corruption may serve as cause for dismissal under the foggy rubric of "loss of the President's confidence." Third, it creates a mechanism for converting appointed governors into elected governors if they leave office early, but only if they are appointed acting governor by Putin.

While the first round of gubernatorial elections in October 2012 went (mostly) according to plan, the Kremlin grew wary of the potential for gubernatorial elections in the North Caucasus to stimulate ethnic conflict. Putin singled out Dagestan as a region for which a non-electoral option might be beneficial, arguing that such an option would help to preserve indigenous power-sharing arrangements between Avars and Dargins. The non-electoral option was made into law in the spring of 2013, allowing regional parliaments to choose from a slate of gubernatorial candidates nominated by political parties. As with the nomination process for direct elections, any party—including those with no presence in regional parliaments—may nominate gubernatorial candidates. While the law does not specify that it is meant to apply solely to Russia's ethnic republics, this meaning was made clear in Putin's public comments. By contrast, Russian provinces were dissuaded from foregoing direct elections. In response to this disciplinary subtext, republican parliaments in Tatarstan and Bashkortostan refused to consider the legislation. Nor was the non-electoral option supported in Dagestan, as Magomedsalam Magomedov openly supported holding direct elections as did the popular mayor of the republic's capital, Said Amirov. Megomedov soon resigned and was replaced with the more pliant Ramazan Abdulatipov, who oversaw the adoption of the non-electoral option for the republic. Amirov was later arrested in June 2013. The non-electoral option further met with resistance in Ingushetiia, as well, though both republics ultimately bowed to the Kremlin. In anticipation of the 2014 gubernatorial elections, North Ossetia moved in October 2013 to adopt the non-electoral option.

The Naval'ny Effect?

When Boris Yeltsin's appointed governors were put to the test in the first large round of gubernatorial elections in 1995–7, nearly two-thirds of his incumbents lost office. By contrast, it is particularly telling that none of Putin's or Medvedev's appointed governors have lost office in the 13 gubernatorial elections since October 2012. Moreover, each incumbent or acting governor has been elected on average with 70.6% of the vote, typically with fairly low levels of voter turnout (see Table 1).

The problem with this model is that it fails to improve on the previous system of gubernatorial appointments. The tendency towards appointing outsiders as governors in order to break up regional clans accelerated during the Medvedev presidency, leading to nearly a wholesale replacement of Russia's governors, including even powerful governors like Sverdlovsk's Eduard Rossel', Moscow's Yuri Luzhkov and Tatarstan's Mintimer Shaimiev. The rotation of regional outsiders into governors' offices may have improved loyalty to the federal center, but one might easily mistake loyalty for dependence on the federal center. Indeed, the popularity of appointed governors declined at the same time that their performance was subject to increased scrutiny from the Kremlin. Little changed with the restoration of gubernatorial elections. Rather than leaving voters to judge a governor's performance, the Kremlin places its favored candidate in the pole position and secures an uncompetitive field in advance of each election to guarantee the desired outcome.

As a result of the Kremlin's attempts to manage gubernatorial elections, a genuinely competitive election actually appears as a failure for the regime. It is in this crucial sense that the Moscow mayoral election in September 2013 may serve as a watershed event. The election pitted Sobianin against opposition leader Naval'nyi in a bid to enhance the perceived legitimacy of the election. Naval'nyi ran an unexpectedly robust campaign and Sobianin's lead dwindled to a bare majority—and possibly less, according to exit polls conducted by Naval'nyi's supporters. While the Moscow election was hailed as a stirring confirmation of popular support for Sobianin (and, by extension, for Putin's regime), it stirred memories of United Russia's surprisingly poor showing in the 2011 State Duma elections. Moreover, it cast a shadow on every other gubernatorial election in which incumbents cruised to easy victories against token opposition. In future gubernatorial elections, incumbents now face a fundamental dilemma: seek to win a genuinely competitive election and thereby enhance one's legitimacy, or conduct a perfunctory and unconvincing campaign with a guaranteed win but little in the way of job security.

From the center's perspective, there is a rising crisis of legitimacy in the regions for which the most efficient solution—competitively elected governors—may also be the least acceptable. However, the Kremlin is finding that neither carrot nor stick may be a sufficient alternative to achieve its aims. In terms of oversight, Putin has turned up the heat on Russia's governors. In spring 2013, he decreed that government ministers may propose that governors be fired from office—a measure that was framed as increasing regional accountability to the central government, though its practical effect may be to shift the procedural burden of removing governors from the Presidential Administration to Prime Minister Medvedev's government. In addition to making corruption an explicit cause for dismissal, governors may also be held accountable for incidents of ethnic conflict

on their territory. Following the pogrom in Biriulevo on October 13, 2013, Putin directed governors to set up monitoring of inter-ethnic relations and to develop plans for managing inter-ethnic relations. Mayors may now be dismissed for failing to prevent ethnic clashes, and governors may not be far behind.

Given this degree of scrutiny, it is not surprising that the Kremlin is having a hard time persuading people to leave their federal jobs or State Duma seats to become governors. For the appointment to be attractive, prospective governors must have a real chance at improving regional economies. In this context, a revival of discussions about devolving power to regional governments is being pushed by Russia's government, led by Medvedev and First Deputy Prime Minister Igor' Shuvalov. In a meeting with Federation Council leaders on September 23, 2013, Medvedev suggested that the regions ought to determine which federal powers need to be transferred to the regions to facilitate investment and modernization, and even raised the possibility of returning to the practice of bilateral power-sharing treaties. Of course, combining real economic autonomy with genuine electoral mandates raises the prospect of a revival of regionalism in Russian politics. There is little doubt that the Kremlin is deeply concerned about this possibility and incumbent campaigns since 2012 have carefully avoided any mention of regionalism that isn't commensurate with a broader patriotism.

Putin has publicly committed himself to continuing gubernatorial elections and any retreat from that position is likely to be interpreted as a public admission of failure. What remains unclear is whether the regime is genuinely willing to decentralize some power and risk some uncertainty in regional elections in exchange for enhancing its legitimacy on the national level. As former Finance Minister Aleksei Kudrin recently observed, the absence of clearly delineated powers for the regions allows governors to absolve themselves of responsibility for matters over which they have no authority while the president and parliament are "guilty of everything." In assessing this year's gubernatorial elections, the Kremlin claimed that the outcome of Moscow's election should demonstrate for the opposition the value of choosing systemic competition. The real issue is whether the same value can be demonstrated for Russia's governors?

About the Author

J. Paul Goode is Associate Professor of Political Science, Director of the Center for the Study of Nationalism, and Coordinator for Russian and East European Studies at the University of Oklahoma. He is the author of The Decline of Regionalism in Putin's Russia: Boundary Issues (Routledge, 2011).

Further Readings

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Table 1: Incumbent Votes in Gubernatorial Elections, 2012–2013

Region	Incumbent/Acting Governor	Incumbent Vote	Turnout
Amur	Oleg Kozhemiako	77.28%	36.72%
Belgorod	Evgenii Savchenko	77.64%	59.49%
Briansk	Nikolai Denin	65.22%	47%
Novgorod	Sergei Mitin	75.95%	42.81%
Riazan'	Oleg Kovalev	64.43%	43.67%
AVERAGE 2012		72.1%	45.94%
Chukotka	Roman Kopin	79.84%	62.53%
Khabarovsk	Viacheslav Shport	63.84%	32.67%
Khakassia	Viktor Zimin	63.41%	36.3%
Magadan	Vladimir Pechennyi	73.11%	62.53%
Moscow	Sergei Sobianin	51.37%	31.54%
Moscow oblast'	Andrei Vorob'ev	79.05%	37.69%
Vladimir	Svetlana Orlova	74.73%	27.67%
Zabaikal	Konstantin Il'kovskii	71.67%	31.98%
AVERAGE 2013		69.63%	40.36%*

**Turnout figures for 2013 do not include absentee ballots*